

08-11-04

RCE/18 JFW

PTO/SB/30 (5/2000)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV452773148US
Application Number	09/555,534
Filing Date	May 31, 2000
First Named Inventor	Ensoli
Group Art Unit	1648
Examiner Name	Stucker, Jeffrey J.
Attorney Docket No.	11340-003-999

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.1. **Submission required under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on April 9, 2004.
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed _____
- iii. ☐ Other: _____
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other: _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other: Statement of Substance of Interview Under 37 C.F.R. § 1.133; Petition for Extension of Time (in duplicate).

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Jones Day Deposit Account No. 50-3013:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 770.00
- ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ _____ for a _____ month(s) extension, the request for which is being made herewith
- iii. ☐ Other: _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Adriane M. Antler	Registration No. (Attorney/Agent)	32,605
Signature	<i>Adriane M. Antler</i>	Date	August 9, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- _____ to the U.S. Patent and Trademark Office on the date indicated below.

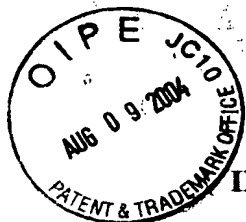
Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

+ Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

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NYJD: 1537129.1



EXPRESS MAIL NO.: EV452773148US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Ensoli	Confirmation No.:	9400
Application No.:	09/555,534	Art Unit:	1648
Filed:	May 31, 2000	Examiner:	Stucker, Jeffrey J.
For:	HIV-1 TAT, OR DERIVATIVES THEREOF FOR PROPHYLACTIC AND THERAPEUTIC VACCINATION	Attorney Docket No.:	11340-003-999

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. § 1.133

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.133 and M.P.E.P. 713.04, Attorneys for Applicant submit this Statement of Substance of Interview in connection with the telephonic interview of July 8, 2004 between Examiner Jeffrey Stucker and Attorney for Applicant Margaret Brivanlou in connection with the above-identified application.


During the telephonic interview of July 8, 2004, the Examiner indicated that he would consider the proposed amendments to the claims if Applicant files a Request for Continued Examination ("RCE"). The Examiner indicated that he would be amenable to having an interview to discuss potentially allowable claim language for the above-identified application, after Applicant files an RCE.

Accordingly, Attorneys for Applicant submit concurrently herewith an RCE Transmittal.

Attorneys for Applicant respectfully request entry of the foregoing remarks into the file history of the above-identified application. It is believed that no fee is due in connection with this Statement; however, in the event any fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: August 9, 2004

 32,605
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